

Application No. 10/669,034
Amendment dated October 21, 2005
Reply to Office Action of July 14, 2005

Docket No. CM06386J

REMARKS/ARGUMENTS

Claims 1, 5, 10, 16 and 17 have been amended without prejudice or disclaimer.

Claims 18 -26 have been added. No new matter has been added. Claims 1 – 26 remain in the application.

Objection to the Specification

Applicant has corrected the informalities noted by the Examiner. Applicant respectfully requests that the objection to the specification be withdrawn.

Objection to the Claims

Claims 16 and 17 have been amended to correct the informalities noted by the Examiner. Applicant respectfully requests that the objection to claims 16 and 17 be withdrawn.

Rejection - 35 U.S.C. § 102(e)

Claims 1-6, 8, 13-17 were rejected under 35 U.S.C. § 102(e) as being anticipated by Curtiss et al. (Curtiss) Pub. No.: US 2003/0162562.

Applicant amends in part and traverses in part.

Applicant has amended claim 1 to more clearly define the invention. Claim 1 now recites that “the at least one accessory option for installation into the accessory, the at least one accessory option detected by the accessory microcontroller”. Additionally, new dependent claims 18 and 19 have been added to further define the at least one accessory option as being either user-installed or factory-installed. No new matter has been added.

Support for these amendments is found on page 4, lines 8-14 of the specification. The Curtiss

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reference fails to teach or suggest installable accessory options. The Examiner equated register (524) of FIG. 4 of Curtiss to Applicant's options 114 or 120. However, register (524) of Curtiss is not an installable option, but rather a permanent physical presence. Accordingly, the rejection of claim 1, as amended is believed to be overcome. Claims 2-4 provide further limitations to what is believed to be an allowable claim and hence are also in condition for allowance.

The rejection of independent claim 5 is traversed in part and amended in part. Prior art is anticipatory only if *every element* of the claimed invention is disclosed in a single item of prior art in the form literally defined in the claim. There must be no differences whatsoever between the claimed subject matter and the prior art in order for a Section 102 rejection to be proper. The Examiner referred to page 5, paragraphs [0049] to [0051] in the rejection of claim 5. However, claim 5 specifically recites "the smart accessory self-configures itself to operate over at least one of the optional operating configurations based on the parameter data, and the communication device adjusts its operation in response thereto." Curtiss fails to teach or suggest an accessory which self-configures itself and a communication device adjusting its operation in response thereto. Additionally, claim 5 has been amended to recite "installable modules for storing optional operating configurations within the smart accessory." Accordingly, the rejection of claim 5 is believed to be overcome. Dependent claims 6 and 8 provide further limitations to what is believed to be an allowable claim 5 and hence are also in condition for allowance. New dependent claims 20-22 have been added to claim the installable modules as user-installed and/or factory-installed as discussed above.

The rejection of independent claim 13 is respectfully traversed. Here again the memory of the accessory contains parameter data for the accessory that is available locally and the accessory microcontroller verifies and updates the parameter data to correspond to

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accessory options. All of this is happening at the accessory side. The updated parameter data is then available remotely to the communication device. Curtis does his updating at the electronic device side. Claims 14-17 are dependent claims providing further limitations to what is believed to be an allowable claim 13 and hence are also in condition for allowance.

New dependent claims 24-26 have been added to recite that the accessory options are installed either by the user and/or a factory as discussed above. No new matter has been added. Support for these new claims is found on page 4, lines 8-14 as previously discussed.

Accordingly the rejection of claims 1-6, 8, 13-17 is believed to be overcome.

Rejection - 35 U.S.C. § 103(a)

Claims 7 and 9-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curtiss in view of Bozoukov (Pat. No. 6,603,986).

Applicants amend in part and traverse in part.

Claims 7 and 9 are dependent claims providing further limitations to what are believed to be allowable claims and hence are also in condition for allowance.

Independent claim 10, as amended, is believed to be non-obvious over the cited references taken individually or in combination. Neither reference taken individually or in combination teaches or suggests installing an optional configuration into the accessory.

Claim 11 is a dependent claim providing further limitations to what is believed to be an allowable claim 10 and hence is also in condition for allowance.

Claim 12 is an independent claim directed to self-configuring the accessory using the accessory itself. The cited references taken individually or in combination do not teach such self-configuration of the accessory. Thus, the rejection of claim 12 is believed to be overcome. New dependent claim 23 includes the step of installing the options as discussed previously.

Accordingly, the rejection of claims 7 and 9-12 were rejected under 35 U.S.C. § 103(a) is believed to be overcome.

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No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

October 21, 2005

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